

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

XL SPECIALTY INSURANCE COMPANY,

Plaintiff,

VS.

OTTO NAUMANN, LTD.,

Defendant and
Third-Party Plaintiff,

vs.

JULIUS LOWY FRAME & RESOTRING CO. INC.,

Third-Party Defendant.

PLEASE TAKE NOTICE that upon the annexed Memorandum of Law in support of Third-Party Defendant Julius Lowy Frame & Restoring Co. Inc.'s Motion to Dismiss the Third-Party Complaint, Third-Party Defendant Julius Lowy Frame & Restoring Co. Inc. ("Lowy"), by its undersigned counsel, will move before the Honorable Deborah A. Batts, at the Daniel Patrick Moynihan United States Court House, 500 Pearl Street, New York, New York 10007, on such a date as the Court will determine, for an order, pursuant to Federal Rule of Civil Procedure 12(b)(6), dismissing with prejudice the Third-Party Complaint against Lowy in the above-captioned action, and for such other relief as the Court may grant.

PLEASE TAKE FURTHER NOTICE that opposing papers, if any, must be served and filed by May 15, 2013. Reply papers, if any, must be served and filed by May 22, 2013.

PLEASE TAKE FURTHER NOTICE that oral argument is respectfully requested on the motion.

Dated: New York, New York
May 1, 2013

LANKLER CARRAGHER & HORWITZ LLP

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